

### REMARKS

Applicants request favorable reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-29 and 31-38 are pending in the present application, with Claims 6-12, 14, 26 and 34 being withdrawn from consideration. Claims 1 and 29 are the independent claims.

Claim 30 has been cancelled without prejudice. Claims 1-29 and 31-38 have been amended. Applicants submit that support for these amendments can be found in the original disclosure, and therefore no new matter has been added.

Claims 2-3, 13, 15, 17, 18-19, 29-31, 37 and 38 are rejected under 35.U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended the claims in view of the Examiner's comments, and the amendments are believed to overcome the Examiner's objections. Favorable reconsideration is requested.

Claims 1-5, 13, 15-25, 27-28, 29-33, and 35-38 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-16 and 17-22 of U.S. Patent Application Publication No. US 2002/0021492 (Morishima, et al.) in view of the patent issued to U.S. Patent No. 5,663,831 (Mashitani). Applicants note that because Morishima, et al. has not been issued, the rejection should have been indicated as provisional. In any event, the rejection is respectfully traversed.

Applicants' invention as set forth in Claims 1 and 29 relates to a stereoscopic image displaying apparatus which includes, inter alia, a second optical system wherein a

position of the light transmitting section formed on the optical modulator is controlled so as to be synchronized with a switchover timing of the parallax images displayed by the image displaying apparatus (Claim 1), or a switchover of an arrangement order of the stripe images (Claim 29). As a result, entire pixels of the image displaying device can be observed by one eye of the observer, and thus the stereoscopic image display can be performed with high quality.

Applicants submit that the cited art fails to disclose or suggest at least the above cited features. Morishima, et al. does not disclose or suggest the forming of light transmitting and light shielding sections on the optical modulator. Nor does that patent disclose or suggest, as further recited in Claim 1, a position of the light transmitting section formed on the optical modulator being controlled so as to be synchronized with a switchover timing of the parallax images displayed by the image displaying device so that the substantial entirety of the parallax images displayed by the image displaying device becomes observable on the observation surface. This results in a situation in Morishima, et al. in which pixels observed by one eye of the observer are only half of the entire pixels displayed by the image displaying device, as opposed to the present invention, wherein the substantial entirety of the parallax images displayed by the image displaying device becomes observable.

Mashitani, et al. discloses a three-dimensional display. However, as with Morishima, et al., Mashitani, et al. does not disclose or suggest a position of the light transmitting section formed on the optical modulator being controlled so as to be synchronized with a switchover timing of the parallax images displayed by the image displaying apparatus as recited in Claim 1, or a switchover of an arrangement order of the

stripe images as recited in Claim 29, so as to provide a stereoscopic image displaying apparatus capable of allowing a substantial entirety of the parallax images displayed to become observable. Accordingly, Applicants submit that the present invention is patentable over the cited art.

The dependent claims are also believed to be patentable in their own right in addition to reasons set forth with respect to their respective independent claims. Individual consideration of the dependent claims is requested.

For the foregoing reasons, Applicants submit that this application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants  
Brian L. Klock  
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

BLK/lmj

DC\_MAIN 130912 v 1